

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

GENE F. OSBURN, Individually and on behalf of
All Others Similarly Situated,

Plaintiff,

V.

FLEETBOSTON FINANCIAL CORPORATION, et al.,

Defendants.

Civil Action No. 04-11750 (REK)

AFFIDAVIT OF DANIEL J. HAYES
IN SUPPORT OF MOTION TO ADMIT COUNSEL *PRO HAC VICE*

Daniel J. Hayes, being first duly sworn and under oath deposes and states:

1. I am a member in the law firm of Bell, Boyd & Lloyd LLC, 70 West Madison Street, Suite 3100, Chicago, IL 60602-4207. My telephone number is (312) 807-4355.
2. I have been a member of the Illinois Bar since 1997. I am also admitted to practice in the United States District Courts for the Northern District of Illinois and the United States Court of Appeals for the Seventh Circuit.
3. I am a member of the Bar in good standing in every jurisdiction where I have been admitted to practice, and there are no disciplinary proceedings pending against me as a member of the Bar in any jurisdiction.
4. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

Signed under the pains and penalties of perjury this _____ day of November, 2004.

Daniel J. Hayes